AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions, and listings, of claims in this application.

Claim 1 (currently amended): A biaxially stretched aliphatic polyester film comprising at least two ~~layers;~~layers and having a shrinkage percentage at 120°C of equal to or less than 10%:

one of said two layers comprising an amorphous polylactic acid resin and a crystalline polylactic acid resin so as to satisfy the relation: (mass percentage of the amorphous polylactic acid resin) ≧ (mass percentage of the crystalline polylactic acid resin);

the other of said two layers comprising an amorphous polylactic acid resin and a crystalline polylactic acid resin so as to satisfy the relation: (mass percentage of the amorphous polylactic acid resin) < (mass percentage of the crystalline polylactic acid resin).

Claim 2 (currently amended): A biaxially stretched aliphatic polyester film comprising at least two ~~layers;~~layers and having a shrinkage percentage at 120°C of equal to or less than 10%:

one of said two layers comprising an amorphous polylactic acid ~~resin,~~resin and a crystalline polylactic acid resin so as to satisfy the relation: (mass percentage of the amorphous polylactic acid resin) ≧ (mass percentage of the crystalline polylactic acid resin);

the other of said two layers comprising an amorphous polylactic acid ~~resin,~~resin and a crystalline polylactic acid resin so as to satisfy the relation: (mass percentage of the amorphous polylactic acid resin) < (mass percentage of the crystalline polylactic acid resin);

said amorphous polylactic acid resin contained in either of said two layers containing D-lactic acid and L-lactic acid in a weight ratio of 10/90 ≦ (D-lactic acid/L-lactic acid) ≦ ~~90/10.~~90/10;

said crystalline polylactic acid resin contained in either of said two layers containing D-lactic acid and L-lactic acid in a weight ratio of 0.5/99.5 ≦ (D-lactic acid/L-lactic acid) ≦ 6/94 or 99.5/0.5 ≧ (D-lactic acid/L-lactic acid) ≧ 94/6.

Claim 3 (currently amended): The aliphatic polyester film of claim 1 further comprising an inorganic deposited ~~film~~layer formed on one of the at least two layers.

Claim 4 (currently amended): A method for forming an aliphatic polyester film comprising the steps of:

coextruding resins each forming one of layers A and ~~B further comprising;~~B;

providing an anchor coat on a surface of one of the layers; and

forming an inorganic deposited layer on the anchor coat;

said layer A containing an amorphous polylactic acid resin and a crystalline polylactic acid resin so as to satisfy the relation: (mass percentage of the amorphous polylactic acid resin) ≧ (mass percentage of the crystalline polylactic acid resin);

said layer B containing an amorphous polylactic acid resin and a crystalline polylactic acid resin so as to satisfy the relation: (mass percentage of the amorphous polylactic acid resin) < (mass percentage of the crystalline polylactic acid ~~resin).~~resin); and

a film comprising said layers A and B having a shrinkage percentage at 120°C of equal to or less than 10% before the anchor coat is provided.

Claim 5 (previously presented): The method of claim 4, wherein after the coextrusion step, stretching the film, prior to providing the anchor coat.

Claim 6 (previously presented): The method of claim 4, wherein said inorganic deposited layer comprises at least one of aluminum, an alloy of mainly aluminum, silicon oxide, aluminum oxide, and a composite of aluminum oxide and silicon.

Claim 7 (currently amended): The method of claim 6, wherein said inorganic deposited ~~film~~layer comprises 90 to 99.8 mol% of aluminum, and 0.2 to 10.0 mol% of at least one of magnesium, silicon, tantalum, titanium, boron, calcium, barium, carbon and manganese.

Claim 8 (currently amended): A packaging material formed of the aliphatic polyester film including the inorganic deposited ~~film forming~~layer formed by claim 4.

Claim 9 (currently amended): The aliphatic polyester film of claim 2 further comprising an inorganic deposited ~~film~~layer formed on one of the at least two layers.

Claim 10 (currently amended): The aliphatic polyester film including the inorganic deposited ~~film~~layer of claim [[1]] 3 wherein said inorganic deposited ~~film~~layer comprises at least one of aluminum, an alloy of mainly aluminum, silicon oxide, aluminum oxide, and a composite of aluminum oxide and silicon.

Claim 11 (currently amended): The aliphatic polyester film including the inorganic deposited ~~film~~layer of claim 10 wherein said inorganic deposited ~~film~~layer contains 90 to 99.8 mol% of aluminum, and 0.2 to 10.0 mol% of at least one of magnesium, silicon, tantalum, titanium, boron, calcium, barium, carbon and manganese.

Claim 12 (currently amended): The aliphatic polyester film including the inorganic deposited ~~film~~layer of claim [[2]] 9 wherein said inorganic deposited ~~film~~layer comprises at

least one of aluminum, an alloy of mainly aluminum, silicon oxide, aluminum oxide, and a composite of aluminum oxide and silicon.

Claim 13 (currently amended): The aliphatic polyester film including the inorganic deposited ~~film~~layer of claim 12 wherein said inorganic deposited ~~film~~layer contains 90 to 99.8 mol% of aluminum, and 0.2 to 10.0 mol% of at least one of magnesium, silicon, tantalum, titanium, boron, calcium, barium, carbon and manganese.

Claim 14 (new): The aliphatic polyester film of claim 1 further comprising:

an anchor coat disposed on one of the at least two layers; and

an inorganic deposited layer formed on said anchor coat.

Claim 15 (new): The aliphatic polyester film of claim 2 further comprising:

an anchor coat disposed on one of the at least two layers; and

an inorganic deposited layer formed on said anchor coat.